United Nations E/1998/84

Economic and Social Council

Distr.: General
6 July 1998

Original: English

Substantive session of 1998
New York, 6-31 July 1998
Agenda item 14 (g)
Social and human rights questions: Human rights questions

Report of the United Nations High Commissioner for Human Rights

Contents

		Paragraphs	Page
I.	Introduction	1	2
II.	Fiftieth anniversary of the Universal Declaration of Human Rights	2–8	2
III.	Fifty-fourth session of the Commission on Human Rights	9–18	3
	A. Special dialogue on gender and the human rights of women	16–18	4
IV.	Promoting human rights through technical cooperation	19–29	4
	A. Framework for regional technical cooperation in the Asia-Pacific region	19	4
	B. Framework strategy for the promotion of human rights in Africa	20–25	4
	C. Technical cooperation activities in Latin America and the Caribbean	26–28	5
	D. National institutions for the promotion and protection of human rights	29	6
V.	Mainstreaming human rights	30–31	6
VI.	Conclusion	32	6

98-20237 (E) 210798

I. Introduction

1. This report is submitted to the Economic and Social Council pursuant to General Assembly resolution 48/141 by which the mandate of the United Nations High Commissioner for Human Rights was established. In February 1998 a comprehensive first report (E/CN.4/1998/122) was submitted by the High Commissioner to the Commission on Human Rights. It is being made available to the Council as well. The present report seeks to provide an overview of developments that have taken place since the report to the Commission, taking into account information now before the Council in other documents.

II. Fiftieth anniversary of the Universal Declaration of Human Rights

2. The fiftieth anniversary of the Universal Declaration of Human Rights[1] has allowed the international community to reflect on the achievements and shortcomings of the past 50 years in its efforts to promote and protect human rights. And it has provided an opportunity for advancing human rights through concrete actions. The motto of the fiftieth anniversary, "All human rights for all", not only reinforces the vision of the Universal Declaration but also highlights the need for a reinvigorated commitment to working for a better balance between the protection and promotion of the whole range of human rights – civil, political, economic, social and cultural – and advancing the right to development.

3. The United Nations system has undertaken many commemorative activities through its principal bodies dealing with human rights, the specialized agencies and various United Nations programmes. Some activities have already taken place, while others are planned for the period leading up to 10 December.

4. As part of the commemoration of the fiftieth anniversary, the High Commissioner organized, in cooperation with United Nations agencies and programmes, a forum titled Dialogue on Mainstreaming Human Rights in the United Nations. It took place on 16 March 1998 after the first meeting of the Commission on Human Rights. The forum, moderated by the Secretary-General, was attended by heads and senior officials of United Nations agencies and programmes. It focused on the steps that have been taken, and those envisaged, to place human rights on the agenda of the United Nations systemwide. Other events and activities during the session of the Commission included a round table of experts on benchmarks for the implementation of economic, social and cultural rights; a panel on racial discrimination; and exhibitions and cultural events sponsored by several member States.

5. The General Assembly is scheduled to hold a special plenary meeting on 10 December 1998 to mark the fiftieth anniversary of the Universal Declaration. During that meeting the 1998 Human Rights Prizes will be presented to those individuals or organizations that have made significant contributions to the promotion and protection of human rights.

6. The fiftieth anniversary programme of the Office of the United Nations High Commissioner is being implemented in cooperation with partners within the United Nations and outside the system. To disseminate the message of the Universal Declaration as widely as possible, the Office has implemented an education and information campaign in close cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Department of Public Information of the United Nations Secretariat. The campaign has focused on disseminating the Universal Declaration through a variety of information channels, including special publications, posters and information kits. As a contribution to the United Nations Decade for Human Rights Education (1995–2004), Ministers of Education have been provided with resource materials to help schools give human rights education a special focus during 1998.

7. A major public information project, carried out with the assistance of the International Telecommunications Union (ITU), is making accessible on the website of the Office of the United Nations High Commissioner (www.unhchr.ch) language versions of the Universal Declaration; some 75 are already available, and the target is to have 250 available by October 1998. The website also features a comprehensive survey of fiftieth anniversary activities being carried out by Governments, United Nations agencies and programmes, and civil society. During the anniversary year the Office is also launching a programme designed to reach people at the community level. The Human Rights ACT Project (Assisting Communities Together) will provide a limited number of small grants to local organizations and individuals planning human rights activities in their communities. The Project is being implemented in cooperation with the United Nations Development Programme (UNDP) and the United Nations Office for Project Services (UNOPS).

8. The commemoration of the fiftieth anniversary is leading to a better and richer understanding of the Universal

Declaration as a living expression of the dignity of all human beings. One activity in this respect is the preparation of Islamic commentaries and perspectives on the Universal Declaration. The Minister of Foreign Affairs of the Islamic Republic of Iran, in his statement to the Commission on Human Rights at its fifty-fourth session, requested the High Commissioner to invite commentaries on the Universal Declaration, and the High Commissioner agreed to do so because of the great potential for promoting understanding and respect among peoples. A key part in this process will be a seminar of experts in Islamic law scheduled for November 1998. The High Commissioner is working closely with the Secretary-General of the Organization of the Islamic Conference in the preparation of the commentaries and perspectives.

III. Fifty-fourth session of the Commission on Human Rights

9. The Commission on Human Rights at its fifty-fourth session demonstrated the importance States Members of the United Nations attach to human rights and the role played by the Commission itself as a unique worldwide forum for human rights, bringing together Governments, international organizations and the non-governmental community to give public consideration to issues of crucial importance to humanity. The Commission was opened by the Secretary-General and was addressed by the President of the Czech Republic. The Prime Minister of France and ministerial-level representatives from some 60 countries also made statements during the session.

10. The Commission decided to recommend to the General Assembly that it approve a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. The importance of such a declaration and, more importantly, its implementation, were underscored by the assassination during the session of the Colombian human rights activist José Eduardo Uman Mendoza. The Commission observed a minute of silence in his memory on 20 April 1998. The adoption of the draft declaration by the General Assembly would be an important step towards promoting human rights during the anniversary year of the Universal Declaration. In its preamble, the Universal Declaration urges "every individual and every organ of society" to promote respect for the rights set forth in it and to secure their universal and effective recognition and observance.

11. The Commission sharpened its focus on the intolerable living conditions of large sectors of humanity and the serious and grave violations of basic economic, social and cultural human rights those conditions entail. It called attention to the 800 million individuals who do not have enough food for basic nutritional needs, and called for technical and financial efforts to be mobilized in response and for the right to food to be more clearly defined. It decided to establish a follow-up mechanism on the right to development, with an independent expert charged with studying the current state of progress in realizing that right. The Commission further decided to appoint an independent expert on extreme poverty, name a special rapporteur on the right to education, establish a working group on the right to development, and extend the mandate of the working group on the effects of structural adjustment policies on the full enjoyment of human rights. These steps will help to raise the understanding of economic, social and cultural rights to the level of that of civil and political rights and increase the impact of implementation activities.

12. The Commission also made progress in relation to indigenous populations and in preparation for the World Conference on Racism.

13. The Commission took an important step forward by deciding to reform its agenda. It launched a thorough review of its mechanisms and charged its Bureau with making recommendations to it at its next session. The Office of the United Nations High Commissioner is also engaged in collecting and analysing information on the reform of the United Nations human rights machinery, pursuant to the High Commissioner's mandate and the reform programme of the Secretary-General.

14. The Commission expressed concern with the resources currently available from the regular United Nations budget for the human rights programme and appealed for sufficient regular resources.

15. The Commission devoted significant attention to reports of violations of human rights in all parts of the world. The information presented showed the extreme seriousness of many situations, the need for energetic cooperative action by the States concerned, and the difficulty of having States adopt the needed measures.

A. Special dialogue on gender and the human rights of women

16. The Commission on Human Rights held a special interactive dialogue on gender and the human rights of women during its fifty-fourth session, with the participation of the Chairperson of the Commission on the Status of Women, the High Commissioner, the Special Rapporteur on Violence against Women, governments and non-governmental organizations.

17. The dialogue was aimed at bringing closer together the work of the Commission on Human Rights and the Commission on the Status of Women, which, at its most recent session (2–13 March 1998),[2] and in connection with the fiftieth anniversary of the Universal Declaration, had focused its attention on areas of the Beijing Platform for Action[3] directly relevant to human rights: the human rights of women; the girl child; women and armed conflict; violence against women; and women's enjoyment of economic and social rights. It was felt that the results of the discussions held by the Commission on the Status of Women could strengthen the work of the Commission on Human Rights in the areas of gender and the human rights of women and in relation to crucial economic and social rights aspects of the right to development. In addition, the Commission on Human Rights would have its own substantive perspective to contribute to the work of the Commission on the Status of Women.

18. The wide ranging discussion, with questions from Governments and non-governmental organizations, covered such issues as female genital mutilation; violence against women; women's economic, social and cultural rights; and ways and means of improving United Nations actions protecting the human rights of women. The question of the inclusion of violence against women in the statute of the proposed International Criminal Court was raised. The objective of improving the representation of women in the Secretariat and in United Nations bodies was also discussed. The inclusion on the Commission's agenda of a separate item on the human rights of women, on the understanding that the issue would also be relevant to the other agenda items, was suggested. At the end of its session, the Commission decided to include on the provisional agenda for its fifty-fifth session an item on integration of the human rights of women and a gender perspective.

IV. Promoting human rights through technical cooperation

A. Framework for regional technical cooperation in the Asia-Pacific region

19. Promoting respect for human rights through national capacity-building is one of the most important objectives set by the Vienna Declaration[4] for the human rights programme. Progress is being made in a number of areas. In early March 1998 the 36 States participating in the Tehran Workshop on Regional Arrangements for the Promotion and Protection of Human Rights in the Asia-Pacific Region adopted a framework for regional technical cooperation in that region. The framework contains four areas of technical cooperation and specific objectives, as follows:

(a) National plans of action for the promotion and protection of human rights and the strengthening of national capacities;

(b) Human rights education;

(c) National institutions for the promotion and protection of human rights;

(d) Strategies for the realization of the rights to development and economic, social and cultural rights.

Specific budget estimates were foreseen, and the Office of the United Nations High Commissioner was designated as the implementing agency in response to requests from Governments. States will be able to assess progress in annual meetings on the basis of a report by the Secretariat.

B. Framework strategy for the promotion of human rights in Africa

20. The Office of the United Nations High Commissioner for Human Rights has developed a framework strategy to support human rights projects in Africa within the context of the United Nations system-wide activities to promote development in Africa. The framework strategy, which aims at improving the enjoyment of all human rights for all in Africa, has three principal components: assisting States in adopting and implementing national human rights action plans; assisting the Organization of African Unity and the African Commission on Human and Peoples' Rights to strengthen their activities in the field of human rights; and strengthening non-governmental and grass-roots organizations and civil society in promoting respect for human rights. These activities will be carried out in response

to the requests of the States and organizations concerned and in the context of the specific characteristics of each situation.

21. UNDP was consulted in the preparation of the strategy and has expressed its support for it and its willingness to collaborate in its implementation. The African Commission on Human and Peoples' Rights has welcomed the framework strategy which coincides with the objectives of the Mauritius Plan of Action adopted by the African Commission in October 1996. The Commission on Human Rights proposed that discussions begin as soon as possible on concrete steps towards implementation.

22. The High Commissioner, pursuant to component one of the Mauritius Plan, has written to each Government in Africa to encourage the adoption of a national plan, where one has not already been adopted, and to offer support in implementing plans where they already exist. In this context, the High Commissioner signed, on 28 April 1998, a Memorandum of Intention with the Government of Morocco for the creation of a centre for human rights documentation and training, within the framework of the development of a national plan of action.

23. Further, the High Commissioner, after consultations with UNDP, decided to assign a regional human rights resource person for southern Africa, charged with facilitating, in coordination and consultation with the UNDP resident representatives, the formulation, implementation, and evaluation of projects for human rights, democracy and the rule of law, developed at governmental request. Advice would also be provided, as requested, to Governments of the region and to the secretariat of the Southern African Development Community (SADC). The High Commissioner met with senior officials of SADAC in Gabaronne to discuss responding to their needs in the field of human rights. The resource person is based in the UNDP Office in Johannesburg.

24. Under component two of the Mauritius Plan, the Office of the United Nations High Commissioner agreed to assist in the preparation of the OAU Ministerial Conference on Human and Peoples' Rights in Africa, scheduled for October 1998 in Luanda, Angola. The assistance will be in the form of substantive background documents and support for pre-conference meetings of national institutions and non-governmental organizations. In addition, the High Commissioner has initiated discussions with the Secretary-General of the Organization of African Unity on closer cooperation in the field of human rights.

25. In connection with component three (strengthening non-governmental organizations), a meeting was organized by the Office of the United Nations High Commissioner during the fifty-fourth session of the Commission on Human Rights with African non-governmental organizations and non-governmental organizations involved in Africa, to help determine their needs and how OHCHR could respond. Recommendations were made in a number of areas, including the security of non-governmental organizations and their capacity to carry out their activities, material needs, cooperation among African non-governmental organizations, cooperation with the Office of the United Nations High Commissioner and United Nations organs and the specific problems of women's non-governmental organizations. The High Commissioner will be holding regular meetings with African non-governmental organizations.

C. Technical cooperation activities in Latin America and the Caribbean

26. The Office of the United Nations High Commissioner for Human Rights has supported initiatives aimed at reinforcing democratic systems and the rule of law in post-conflict situations in the Latin American and Caribbean region. Comprehensive technical cooperation country programmes are currently being implemented in Guatemala and El Salvador. Both initiatives are complementary to the work of the Department of Peacekeeping Operations of the United Nations Secretariat in facilitating negotiations that led to the signing of peace agreements in both countries. After at least a decade of human rights monitoring through special rapporteurs and independent experts, the Office signed an agreement of human rights cooperation with both Governments. The Office is engaged in providing advisory services for the revision of domestic legislation, strengthening of national institutions, building of national capacities and dissemination of information. To facilitate the implementation of technical cooperation, the Office has a field presence in each country.

27. The Office of the United Nations High Commissioner has signed a technical cooperation agreement with the Government of Haiti and is exploring the possibility of using the capacity of the International Civilian Mission to Haiti (MICIVIH) to implement the agreement. The Office of the United Nations High Commissioner in Colombia has been providing advisory services to various national institutions engaged in the promotion and protection of human rights at the domestic level.

28. The Office of the United Nations High Commissioner for Human Rights has also emphasized cooperation with key partners of the United Nations system in the region. The Office cooperates with UNDP in Bolivia, Guatemala, El

Salvador, Panama and Paraguay; with UNESCO and the Office of the United Nations High Commissioner for Refugees (UNHCR) in El Salvador and Guatemala; with the United Nations Institute for Crime Prevention and the Treatment of Offenders (ILANUD) in Central America and Panama; and most recently with the United Nations Development Fund for Women (UNIFEM), by providing its full support to a campaign initiated in Latin America to combat violence against women. A close working relationship has been established with international non-governmental organizations active in the region. The Office continues discussions with the Organization of American States (OAS), the Inter-American Commission on Human Rights, and the Inter-American Institute for Human Rights, to promote and establish closer cooperation through joint initiatives under consideration by the parties.

D. National institutions for the promotion and protection of human rights

29. Support for the establishment of independent national institutions for the promotion and protection of human rights is a central component of the human rights programme. In April the Coordinating Committee of National Human Rights Institutions met in Geneva to strengthen links between member institutions and support work aimed at establishing new national institutions. The First Mediterranean Meeting of National Institutions for the promotion and protection of human rights took place in Morocco in April, with the participation of national institutions from the region, from other regions such as Latin America and Africa, and with observers from Governments and non-governmental organizations. Most recently, the Second African Conference of National Institutions took place from 30 June to 3 July in Durban, South Africa. In addition to detailed discussions of issues relating to the establishment and functioning of national institutions, the Durban meeting considered its contribution to the OAU Ministerial Conference on Human and Peoples' Rights in Africa. Each of these meetings was supported by the Office of the United Nations High Commissioner for Human Rights, and in each the High Commissioner participated.

V. Mainstreaming human rights

30. Mainstreaming human rights throughout the United Nations system continues to be a priority. Increasingly close relationships are being established with the agencies and programmes of the system directly and through the work of the Executive Committees and the Senior Management Group. Work is being carried out with the Food and Agriculture Organization of the United Nations (FAO) relating to the right to food and with the United Nations Centre for Human Settlements (Habitat) regarding the right to adequate housing.

31. Cooperation is growing between the United Nations Conference on Trade and Development (UNCTAD) and the Office of the High Commissioner. In May a high-level seminar was organized by the Secretary-General of UNCTAD in consultation with the Office to discuss the right to development and its implementation. Senior staff of UNCTAD, including the Secretary-General and the Deputy Secretary-General took part, as did the Deputy High Commissioner and senior staff of the Office. They were joined by a leading university professor, senior ambassadors familiar with the issues and experts from the Committee on Economic, Social and Cultural Rights for a discussion of the right to development and up-grading economic and social rights. Subsequently, a joint meeting between the staff of UNCTAD and the Office of the High Commissioner took place to discuss human rights and the challenges of economic development.

VI. Conclusion

32. The above paragraphs, highlighting some of the more important recent developments in the human rights programme, affirm that the programme is an increasingly dynamic one, with many new areas of concern and many new demands on its limited resources. It has not been possible to reflect all advances in the programme in the limited space of this report; many will be reflected in other reports to the Council.

Notes

[1] General Assembly resolution 217 A (III).

[2] See E/1998/27, Supplement No. 7.

[3] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[4] See A/CONF.157/23.